

## **Putnam Family Court Project**

### **Basic Information**

**Population:** 36,019

**County Seat:** Greencastle

**Judicial Officers:** 3

**Project Implementation:** July 2000

### **Putnam County Project Judge:**

Matthew L. Headley, Judge of Putnam Circuit Court, and Diana J. LaViolette, Senior Judge, Putnam County

**Putnam Family Court Personnel:** The project was implemented with a part-time project administrator position (approx. 10 hours per week). In 2003, this position was split into two part-time co-administrators without increasing the total weekly hours. In January 2005, the administrator became a salaried position (approx. 15 hours per week). The project also contracts with local attorneys on an hourly basis for facilitation services.

**Contact person:** Administrator Jan Lewis at sjlewis@crrtc.com, 765-653-5974

### **Funding for Putnam County**

#### **Family Court Project Funding**

\$9,000 2003

\$3,000 2004

\$2,000 2005

#### **Court Improvement Project Funding**

\$37,200 for period of July 2000 through October 2001

\$37,000 available October 2001 through 2002

\$12,000 available 2002 through 2003

#### **Putnam County Office of Family and Children**

\$10,000 per year for facilitations in CHINS and high-risk custody (2004)

\$10,000 per year for facilitations in CHINS and high-risk custody (2005)

#### **Putnam County Community Foundation**

\$12,000 through 2003

#### **Putnam County (through Circuit Court)**

\$5,000 (fiscal year 2004 and 2005)

#### **ADR Funds**

\$5481 – 2003 - 2004

\$2602 - 2005 (through July)

### **Family Court Mission Statement**

*(A) To provide an alternative to adversarial conflict resolution in the courtroom and to the escalation of hostility.*

*(B) To give all parties to the facilitation the opportunity to be heard and to hear each other's point-of-view in a positive and problem-solving environment, and to work together to reach an agreed-on resolution regarding the family matters involved. All facilitated agreements are voluntary and consensual. No one is forced to accept a proposed agreement.*

*(C) To allow an opportunity for balancing power among the litigants by providing a forum where all can contribute to an agreed settlement. Even if no final resolution can be reached, the facilitator can work with the parties to streamline the issues and stipulate to the matters that are not in conflict.*

*(D) To achieve more efficiency for the court staff and to make better use of court time, by reducing the number of repeated hearings in the same case. It will also expedite cases by bringing the parties together faster than the court could set a hearing.*

*(E) To provide protection and some guidance for those who are indigent and cannot afford the assistance of counsel, and also to assist retained counsel who cannot be fully compensated for their services.*

*(F) To decrease trauma to the children involved.*

*(G) To provide a method of increasing the amount of information available at critical decision-making times and encouraging a wide range of professionals to participate.*

*(H) To bring all relevant parties together at one time, thus allowing the sharing of information, opinions, and ideas that can resolve disputes, clarify issues, narrow differences, or reveal that no dispute actually exists.*

### **Family Court Programming**

The Putnam County Project began in 2000 with a grant from the Court Improvement Project (CIP), but it was not officially designated a Family Court Project until it was selected in 2002 as the Putnam-Owen Multiple County Family Court Project. The Owen County project was created by duplicating the Putnam County process, policies, and forms, modified to meet the specific needs of Owen County. The Putnam County Family Court Administrator trained the Owen County Family Court Administrator. Owen County initially used the local attorney facilitators who helped develop the Putnam project in order to ensure some standardization between the projects and avoid "reinventing the wheel."

The original \$20,000 Family Court Project grant awarded to the joint Owen-Putnam project for 2002 and 2003 was apportioned by the Division of State Court Administration directly to each county depending upon its needs. The two counties have always maintained separate funding and have different Family Court personnel. As the programs have developed over the years, they have become more distinct and are now listed as

separate Family Court projects.

### **ADR Facilitation**

The pilot project model utilized in Putnam County is affordable, non-adversarial dispute resolution referred to as "facilitation." Facilitation is used in CHINS and termination of parental rights cases, pro se divorces and paternity cases, and other appropriate litigation involving families. Putnam County also has facilitated the CHINS and related criminal cases involving the same child victim. This project model avoids unnecessary court hearings and helps families participate in their case resolutions. The project is particularly geared to families without legal counsel.

The process is implemented when the part-time Project Administrator receives referrals from the court or parties, conducts an intake meeting with the parties, researches court databases to identify if family members have other pending litigation to be addressed or joined in the facilitation, and arranges for one of the family law trained mediators to serve as a neutral in conducting a facilitation meeting. In CHINS cases or complex custody disputes, the facilitation meeting also may include the Office of Family and Children, child advocates, and service providers. These more complex facilitation meetings may have the additional goal of encouraging full disclosure between the parents and service providers on issues affecting child safety and permanency.

The facilitator's pre-set hourly rate of \$100 is paid from project funds and the Family Court may issue an order for cost reimbursement, totally or partially based on the financial status of each party. Pursuant to new legislation, Putnam County filed an ADR Plan in 2003 to increase filing fees to subsidize mediation services to low income parties in divorce and paternity cases.

### **Pro Se Desk**

In December 2002, a "Pro Se Desk" was developed, where attorney volunteers answer basic legal questions and help indigent or pro se parties obtain necessary court pleading forms. The county provides a resource room where information on services is available.

### **Pre-Hearing Intake for Protective Order Cases**

The Putnam County project initiated a pre-hearing intake program in protective order cases. The intake meeting assists pro se parents who are seeking child support or visitation orders as part of the protective order process, but have not yet filed a divorce or paternity proceeding.

### **Families Served in Putnam County**

#### **ADR Facilitation**

Programming began in July 2000. From implementation through the end of 2004, Putnam

County offered facilitation services to 200 families involving 220 cases. From January to July 2005, Putnam County offered facilitation services to 50 families involving 72 cases. Not all cases have proceeded to a facilitation meeting.

#### Pro Se Desk

From December of 2002 until July 2005, the pro se desk provided assistance to 148 individuals.

#### Pre-Hearing Intake for Protective Order Cases

From its implementation in 2002 through July 2005, the Pre-Hearing Intake program served 70 families.